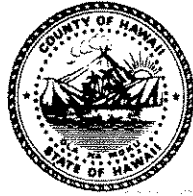


CASEY JARMAN
County Clerk



County of Hawai'i
Office of the County Clerk

25 Aupuni Street
Hilo, Hawai'i 96720

Telephone: (808) 961-8255 Facsimile: (808) 961-8912

December 15, 2006

The Honorable Donovan M. Dela Cruz, Chair
and Council Members
City and County of Honolulu
City Hall
530 South King Street
Honolulu, Hawai'i 96813

Dear Chair Dela Cruz and Members:

As directed in Resolution 432-06 (Draft 2), I am forwarding a certified copy, which was adopted by the Council of the County of Hawai'i on October 31, 2006.

Casey Jarman
Casey Jarman
County Clerk

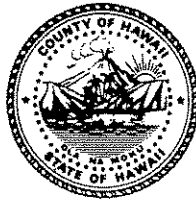
CJ/dt

Enclosure

RECEIVED
JAN 17 11 20 AM '07
CITY CLERK
HONOLULU, HAWAII

Misc. Com. No. 062

COUNTY OF HAWAI'I



STATE OF HAWAI'I

RESOLUTION NO. 432 06

Draft 2

A RESOLUTION OPPOSING THE COMMENCEMENT OF SERVICE OF THE HAWAI'I SUPERFERRY AT KAWAIIHAE HARBOR UNTIL ECONOMIC, SOCIAL, AND ENVIRONMENTAL CONCERNS ARE ADDRESSED.

WHEREAS, the Hawai'i Superferry (HSF) is scheduled to commence service between the islands of O'ahu, Maui, and Kaua'i in July 2007 and add service to the port of Kawaihae on Hawai'i Island in early 2009; and

WHEREAS, Kawaihae Harbor is the only commercial harbor on the west side of the Island of Hawai'i and is an important lifeline for goods, supplies, equipment, agricultural products, and vehicles to and from West Hawai'i; and

WHEREAS, Kawaihae Harbor currently has inadequate infrastructure to accommodate existing users and the HSF operation, and it is unlikely that necessary modifications to Kawaihae Harbor will be in place by the projected date for commencement of HSF services; and

WHEREAS, there is no master plan to deal with aging harbor facilities at Kawaihae, as these facilities come under pressure from steadily rising volumes of cargo and numbers of vessels vying to use limited harbor space, and no master planning process for Kawaihae Harbor is proposed by the State Department of Transportation prior to HSF's scheduled commencement of services; and

WHEREAS, the operations of HSF at Kawaihae Harbor will result in the displacement of existing space occupied by the inter-island shipping company, Young Brothers, Limited (YBL); and

WHEREAS, the reduced space at Kawaihae Harbor may necessitate reduction in services by YBL, including possible discontinuance of its less than full container load service which would adversely affect a number of businesses on Hawai'i Island; and

WHEREAS, questions remain regarding the impacts of the HSF operation on existing harbor users, traffic circulation at Kawaihae Harbor, and the environment of Hawai'i Island; and

WHEREAS, the State Department of Transportation does not plan an Environmental Impact Statement as requested by Hawai'i County Council Resolution No. 68-05, Draft 2, adopted on May 4, 2005; and

WHEREAS, HSF may contribute to the spread of invasive species such as coqui frogs, fire ants, mongooses, stinging nettles, and fireweed, since current plans allow only one hour to inspect baggage for approximately 866 passengers and numerous vehicles (up to 282 cars, or 28 trucks and/or buses plus 65 cars); and

I HEREBY CERTIFY that above is a true and correct copy of the original now on file in my office.

Casey J. Jaraman
County Clerk

WHEREAS, injury or death to whales from HSF operations has been raised as a serious concern by the Pacific Whale Foundation and by various scientific experts; and

WHEREAS, the Kawaihae landing site may be inaccessible for half the year due to high surf; and

WHEREAS, HSF visitors may overburden limited recreational resources such as beaches, surf and diving sites, and parks; and

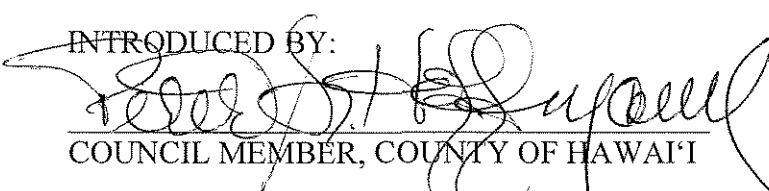
WHEREAS, the influx of vehicles and visitors due to HSF operations may negatively impact Hawai'i Island's cultural resources, especially along the coastline.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE COUNTY OF HAWAI'I that the proposed commencement of operations of the Hawai'i Superferry at Kawaihae Harbor be postponed, pending preparation of an Environmental Impact Statement pursuant to Hawai'i Revised Statutes Chapter 343 and construction of necessary improvements to adequately accommodate current harbor users and the Hawai'i Superferry.

BE IT FINALLY RESOLVED that the County Clerk shall forward certified copies of this resolution to the Honorable Linda Lingle, Governor of the State of Hawai'i; the State Department of Transportation; the Hawai'i Congressional delegation; the Speaker of the State House; the President of the State Senate; the Hawai'i Island delegation to the State Legislature; the County Councils of Honolulu, Kaua'i, Maui, and O'ahu; the Honorable Harry Kim, Mayor of the County of Hawai'i; the President and Chief Executive Officer of Hawai'i Superferry; and the President of Young Brothers, Limited.

Dated at Hilo, Hawai'i, this 31st day of October, 2006.

INTRODUCED BY:


COUNCIL MEMBER, COUNTY OF HAWAI'I

COUNTY COUNCIL
County of Hawai'i
Hilo, Hawai'i

I hereby certify that the foregoing RESOLUTION was by the vote indicated to the right hereof adopted by the COUNCIL of the County of Hawai'i on October 31, 2006.

ATTEST:

COUNTY CLERK CHAIRMAN & PRESIDING OFFICER

ROLL CALL VOTE

	AYES	NOES	ABS	EX
ARAKAKI		X		
HIGA	X			
HOFFMANN			X	
HOLSCHUH	X			
IKEDA	X			
ISBELL	X			
JACOBSON	X			
PILAGO	X			
SAFARIK	X			
	7	1	1	0

Reference: C-1026.12/HSEDC-6
RESOLUTION NO. 432 06
(Draft 2)